



Order Filed on January 22, 2021
by Clerk
U.S. Bankruptcy Court
District of New Jersey

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

McMANIMON, SCOTLAND

& BAUMANN, LLC

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Roseland, New Jersey 07068

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Richard D. Trenk, Esq.

Joshua H. Raymond, Esq.

*Attorneys for Allstate New Jersey Insurance
Company and Related Entities*

In re:

STEPHEN J. CONTE, JR.

Debtor.

Case No. 18-29278(JKS)

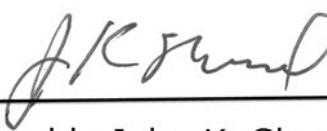
Chapter 11

SECOND STIPULATION AND CONSENT ORDER FURTHER

**(I) EXTENDING TIME TO FILE A
NONDISCHARGEABILITY ADVERSARY COMPLAINT AND
OBJECTION TO DISCHARGE AND (II) ADJOURNING
DEPOSITION OF STEPHEN J. CONTE, JR. AND (III)
ADJOURNING MOTION OBJECTING TO CLAIM**

The relief set forth on the following pages, numbered two (2) through five (5), is hereby
ORDERED.

DATED: January 22, 2021



Honorable John K. Sherwood
United States Bankruptcy Court

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Debtor: Stephen J. Conte, Jr.

Case No.: 18-29278(JKS)

Caption of Order: Second Stipulation and Consent Order Further (i) Extending Deadline To File Nondischargeability Complaint and Objection To Discharge (ii) Adjournment of Deposition of Stephen J. Conte, Jr. (iii) Adjournment Motion Objecting to Claim

WHEREAS, on September 28, 2018, Debtor filed a Voluntary Chapter 13 Petition; and

WHEREAS, on May 30, 2019, Debtor's Chapter 13 case was converted to Chapter 11; and

WHEREAS, on May 20, 2020, Allstate New Jersey Insurance Company; Allstate Insurance Company; Allstate Indemnity Company; Allstate Property and Casualty Insurance Company; Allstate New Jersey Property and Casualty Insurance Company (collectively, "Allstate"), filed two proofs of claim asserting an administrative claim in the amount of \$244,085.25 [Claim No. 10] and an unsecured claim in the amount of \$1,514,239.14 [Claim No. 11]; and

WHEREAS, on May 27, 2020, Allstate filed an Adversary Complaint objecting to discharge and non-dischargeability captioned as Allstate New Jersey Insurance Company et al. v. Conte, Adv. Pro. No. 20-1323 (JKS) (the "Adversary Proceeding"); and

WHEREAS, On June 1, 2020, Allstate filed an Amended Adversary Complaint, and

WHEREAS, on June 29, 2020, Debtor filed a Motion to Dismiss Allstate's Amended Adversary Complaint; and

WHEREAS, Allstate filed opposition to the Motion to Dismiss and Debtor filed a reply; and

WHEREAS, on July 28, 2020, a hearing was conducted on the Motion to Dismiss and on August 14, 2020, the Court entered an Order dismissing the Amended Adversary Complaint

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Debtor: Stephen J. Conte, Jr.

Case No.: 18-29278(JKS)

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without prejudice and set October 15, 2020 as Allstate's deadline to re-file a complaint objecting to discharge and non-dischargeability (the "Order"); and

WHEREAS, on August 25, 2020, Allstate's filed an Application along with a motion seeking to extend the time for Allstate to file an objection to the Debtor's discharge and a non-dischargeability complaint pursuant to applicable provisions of the Bankruptcy Code and the Federal Rules of Bankruptcy Procedure; and

WHEREAS, on September 24, 2020, the Court entered an Order extending deadline to file nondischargeability Complaint and Objection to Discharge which extended Allstate's deadline to object to discharge and time to file a non-dischargeability adversary complaint until January 13, 2021; and

WHEREAS, on October 7, 2020, the Court entered an Order Denying Debtor's Motion to Quash Subpoenas, and such order also compelled Debtor to produce documents and appear for the taking of his Rule 2004 examination before October 30, 2020; and

WHEREAS, the Debtor agreed that he would appear for his Rule 2004 Examination on October 29, 2020; and

WHEREAS, the Debtor filed an objection to Allstate's Proofs of Claim and the hearing is currently scheduled for April 27, 2021; and

WHEREAS, on October 29, 2020, the Court entered a Stipulation and Consent Order: (i) extending deadline to file nondischargeability complaint and objection to discharge and (ii) adjourning Debtor's deposition; and

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Debtor: Stephen J. Conte, Jr.

Case No.: 18-29278(JKS)

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NOW, BE IT HEREBY STIPULATED, AGREED AND ORDERED AS FOLLOWS:

ORDERED that the Debtor's Rule 2004 examination previously scheduled for January 28, 2021 shall be rescheduled for March 30, 2021 at 10:00 a.m., and it is further

ORDERED that the hearing on the Debtor's Motion objecting to Allstate's Proof of Claim is adjourned from April 27, 2021 until June 29, 2021, and it is further

ORDERED that the Debtor's confirmation hearing is adjourned from April 27, 2021 until June 29, 2021, and it is further

ORDERED that Allstate's time to file a non-dischargeability adversary complaint be and is hereby extended to and including June 30, 2021, pursuant to 11 U.S.C. § 523(c) and Federal Rule of Bankruptcy Procedure 4007; and it is further

ORDERED that the Allstate's time to file an objection to discharge be and is hereby extended to and including June 30, 2021, pursuant to 11 U.S.C. § 727 and Federal Rule of Bankruptcy Procedure 4004; and it is further

ORDERED that the entry of this order is without prejudice to Allstate's right to seek further extensions; and it is further

ORDERED that, unless otherwise set forth herein, all other pending motions, discovery requests, Rule 2004 examinations, and document productions shall continue as scheduled, and per prior orders of this Court.

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Debtor: Stephen J. Conte, Jr.

Case No.: 18-29278(JKS)

Caption of Order: Second Stipulation and Consent Order Further (i) Extending Deadline To File Nondischargeability Complaint and Objection To Discharge (ii) Adjourning Deposition of Stephen J. Conte, Jr. (iii) Adjourning Motion Objecting to Claim

Stipulated and consented to on the terms provided herein:

**McMANIMON, SCOTLAND
& BAUMANN, LLC**
*Attorneys for Allstate New Jersey Insurance
Company and Related Entities*

By: /s/ Joshua H. Raymond
JOSHUA H. RAYMOND

Dated: January 20, 2021

NOGAARD, O'BOYLE & HANNON
Counsel to Debtor, Stephen J. Conte, Jr.

By: /s/ John O'Boyle
JOHN O'BOYLE

Dated: January 19, 2021

COLE SCHOTZ, P.C.
*Attorneys for Jeffrey T. Testa,
Chapter 11 Trustee*

By: /s/ Ryan T. Jareck
RYAN T. JARECK

Dated: January 20, 2021

In re:
Stephen J. Conte, Jr.
Debtor

Case No. 18-29278-JKS
Chapter 11

District/off: 0312-2
Date Rcvd: Jan 22, 2021

User: admin
Form ID: pdf903

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Total Noticed: 2

The following symbols are used throughout this certificate:

Symbol **Definition**

+ Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jan 24, 2021:

Recip ID	Recipient Name and Address
db	Stephen J. Conte, Jr., 395 North Farview Avenue, Paramus, NJ 07652
aty	+ Norgaard O'Boyle, 184 Grand Ave, Englewood, NJ 07631-3578

TOTAL: 2

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jan 24, 2021

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on January 22, 2021 at the address(es) listed below:

Name	Email Address
Brian Gregory Hannon	on behalf of Debtor Stephen J. Conte Jr. bhannon@norgaardfirm.com, sferreira@norgaardfirm.com;184grandno@gmail.com;kcimmino@norgaardfirm.com;crose@norgaardfirm.com;dtakach@norgaardfirm.com
Cassandra C. Norgaard	on behalf of Defendant Stephen J. Conte Jr. cnorgaard@norgaardfirm.com, sferreira@norgaardfirm.com;184grandno@gmail.com;kcimmino@norgaardfirm.com;dtakach@norgaardfirm.com
Denise E. Carlon	on behalf of Creditor Morgan Stanley Mortgage Loan Trust 2007-1XS U.S. Bank National Association, as Trustee, successor in interest to Bank of America, National Association, as Trustee, successor by merger to LaSalle Bank dcarlon@kmllawgroup.com, bkgroup@kmllawgroup.com
Denise E. Carlon	on behalf of Creditor US Bank National Association As Successor Trustee to Bank of America, National Association (Successor

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Total Noticed: 2

by Merger to Lasalle Bank National Association) As Trustee for Morgan Stanley Mortgage Loan Trust
dcarlon@kmllawgroup.com, bkgroup@kmllawgroup.com

Gavin Stewart

on behalf of Creditor Specialized Loan Servicing LLC, as servicing agent for Morgan Stanley Mortgage Loan Trust
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on behalf of Plaintiff Allstate New Jersey Property jraymond@msbnj.com

Joshua H. Raymond

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on behalf of Debtor Stephen J. Conte Jr. mhorn@archerlaw.com

Rebecca Ann Solarz

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interest to Bank of America, National Association, as Trustee, successor by merger to LaSalle Bank rsolarz@kmllawgroup.com

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Seth L. Dobbs

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U.S. Trustee

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TOTAL: 30